

Message Text

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PAGE 01 STATE 080332

70

ORIGIN EA-14

INFO OCT-01 ISO-00 INRE-00 NSCE-00 SSO-00 USIE-00 CIAE-00

DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04

RSC-01 PRS-01 SP-03 SS-20 CAB-09 COME-00 DOTE-00

EB-11 FAA-00 ACDA-19 SAJ-01 IO-14 SAM-01 OMB-01 /130 R

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EA/PRCM - MR. BROOKS

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O 192214Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY TAIPEI IMMEDIATE

AMEMBASSY TOKYO IMMEDIATE

AMCONSUL HONG KONG

USLO PEKING

C O N F I D E N T I A L STATE 080332

E.O. 11652: GDS

TAGS: PFOR, ETRN, TW, JA, CH

SUBJECT: SINO-JAPANESE CIVAIR CONTROVERSY

REF: (A) TAIPEI 2380; (B) STATE 78501; (C) TAIPEI 2491

1. UNLESS MATTER IS RAISED, BELIEVE THAT WELL TAKEN
POINTS MENTIONED IN REF A HAVE BEEN ADEQUATELY COVERED BY
INGERSOLL-CHIEN APRIL 17 CONVERSATION HERE (REF B) DURING
WHICH CHARGE'S APRIL 15 PERSONAL COMMENTS TO FOREIGN
MINISTER SHEN WERE SUPPORTED AND CHARGE'S OWN APRIL 18
PRESENTATION TO PREMIER CHIANG (REF C).

2. SPECIFIC INFORMATION REQUESTED IN PARA 6, REF A
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PAGE 02 STATE 080332

FOLLOWS: IN THE 1950'S ROC WAS ASSIGNED RESPONSIBILITY BY

ICAO FOR TAIPEI FIR AND FOR PROVIDING IN THAT AIRSPACE
ADVICE AND INFORMATION USEFUL TO THE SAFE AND EFFICIENT
CONDUCT OF FLIGHTS. DESPITE ROC'S BEING FORCED TO
LEAVE ICAO IN LATE 1971, ICAO ASIA/PACIFIC REGIONAL
AIR NAVIGATION MEETING IN SEPTEMBER 1973 DID NOT AMEND
IN ANY WAY THE EXISTING TAIPEI FIR. CIVIL AIRCRAFT
FLYING THROUGH THE TAIPEI FIR CURRENTLY RELY ON THE ROC
TO MEET ICAO REQUIREMENTS FOR RADIO NAVIGATION AIDS,
METEOROLOGICAL SERVICES, SEARCH AND RESCUE SERVICES,
MAINTENANCE OF POSITIVE CONTROL OF AIR ROUTE STRUCTURES
AND APPROACH AND DEPARTURE CONTROL SERVICES.

3. IN VIEW OF THEIR HAVING BEEN EXPELLED FROM ICAO,
HOWEVER, THERE IS A SERIOUS QUESTION AS TO WHETHER ROC
HAS ANY ICAO OBLIGATION TO SUPPLY AIR NAVIGATION SERVICES.

4. REGARDING PASSAGE OF PEACEFUL AIR TRAFFIC, ANY
UNJUSTIFIABLE ACT THREATENING INTERNATIONAL CIVIL
AVIATION WOULD BE CONTRARY TO CUSTOMARY INTERNATIONAL
LAW AND THE CHICAGO CONVENTION. LATTER IS INTERNA-
TIONAL CIVIL AVIATION CONVENTION TO WHICH ROC STILL
SUBSCRIBES ALONG WITH 128 OTHER NATIONS. AS A
PRACTICAL MATTER, THE ROC MIGHT EXPECT WORLD-WIDE
CENSURE AND POTENTIAL CIVIL AIR STOPPAGE BY IFALPA
(REF B).

RUSH

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Message Attributes

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